



Crl.O.P(MD)No.6166 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.6166 of 2025

Ponmalai

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. By, the Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai City.
Crime No.1 of 2024.

2. Vigneswari

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Madurai to accept the surrender and consider the non bailable warrant petition to be filed by the Petitioner in Spl.SC.No.83 of 2024.

For Petitioner : Mr.C.Ezhilarasu

For Respondent : Mr.M.Sakthi Kumar (R1)
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to direct the learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Madurai to accept the surrender and consider the non bailable warrant petition to be filed by the Petitioner in Spl.SC.No.83 of 2024.

2.According to the petitioner, he is the sole accused in Spl.SC.No.83 of 2024. Due to his non-appearance, NBW was issued by the trial Court on 10.02.2025. Hence, this petition has been filed by the petitioner to accept his surrender and consider his petition for cancellation of NBW on the same day.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner, failed to appear before the trial Court on 10.02.2025, therefore, the trial Court has issued NBW against him. However, the petitioner without approaching the trial Court, straightway filed this petition before this Court, hence, this petition is liable to be dismissed.



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3.Considering the prayer sought for in this petition and

NBW is also pending before the trial Court, it is for the trial Court to take appropriate decision.

4.In view of the above, the petitioner is directed to surrender before the trial Court within a period of 15 days from the date of this order and to file an appropriate petition to cancel NBW pending against him. On such application being filed by the petitioner, the trial Court is directed to consider the same on the same day and pass appropriate orders on merits and in accordance with law.

5.With the above observations and directions, this Criminal Original Petition is disposed of.

03.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
PNM



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To

1. The Sessions Judge, Special Court for the Exclusive Trial of POCSO
Act Cases, Madurai

2.The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai City.
Crime No.1 of 2024.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

PNM

ORDER IN
Crl.O.P(MD)No.6166 of 2025

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